

1 MICHAEL R. HOGUE, ESQ.
 2 Nevada Bar No. 12400
 2 ELLIOT T. ANDERSON, ESQ.
 3 Nevada Bar No. 14025
3 GREENBERG TRAURIG, LLP
 4 10845 Griffith Peak Drive, Suite 600
 4 Las Vegas, Nevada 89135
 5 Telephone: (702) 792-3773
 5 Fax: (702) 792-9002
 6 Email: hoguem@gtlaw.com
 6 andersonel@gtlaw.com

7 *Counsel for Defendant CITIMORTGAGE, INC.*

8
UNITED STATES DISTRICT COURT
 9 **DISTRICT OF NEVADA**

10 NATIONAL DEFAULT SERVICING
 11 CORPORATION,

12 Plaintiff,

13 v.

14 JOANNE T. ORLANDO, an unmarried
 15 woman; CITIMORTGAGE, INC., a foreign
 16 corporation; INTERNAL REVENUE
 17 SERVICE, a Government Agency; and DOES
 18 1 through 10 and ROE BUSINESS ENTITIES
 19 1 through 10, inclusive,

20 Defendants.

Case No. 2:24-cv-01339-JCM-BNW

**STIPULATION TO EXTEND
 DISCOVERY**

[First Request]

21 Plaintiff National Default Servicing Corporation (“Plaintiff”), Defendant CitiMortgage, Inc.
 22 (“CitiMortgage”), and Defendant Internal Revenue Service (the “IRS,” collectively with Plaintiff and
 23 CitiMortgage, the “Parties”), by and through their respective counsel, hereby file this Stipulation and
 24 Proposed Order to Extend Discovery in this case by ninety (90) days under Local Rules IA 6-1 and 26-
 25 3. *See* ECF No. 20. This is the first request that the Court grant a stipulation to allow for the completion
 26 of discovery and related deadlines.

BRIEF FACTUAL BACKGROUND

27 This is a complaint for interpleader, arising from excess proceeds from a foreclosure sale. *See*
 28 ECF No. 1-3. After Plaintiff received competing demands for the proceeds, Plaintiff initiated this

///

1 action, *id.*, and the IRS removed it, ECF No. 1. CitiMortgage and the IRS are the only appearing
 2 claimants.

3 **COMPLETED DISCOVERY**

4 CitiMortgage and the IRS, the only claimants who appeared, are identifying a potential
 5 resolution to this action that will not require substantial expense by either Party. Currently,
 6 CitiMortgage and the IRS are preparing a stipulation that will, if and when agreed upon, resolve the
 7 claims to the excess proceeds. As a result, the Parties avoided engaging in discovery to facilitate
 8 judicial economy and further settlement.

9 **REMAINING DISCOVERY**

10 The Parties do not expect to need any additional discovery given their potential resolution.
 11 But the Parties seek to amend the deadlines out of an abundance of caution in case any unforeseen
 12 issues arise.

13 **GOOD CAUSE TO EXTEND DISCOVERY**

14 As mentioned, CitiMortgage and the IRS believe they have reached a resolution to their
 15 competing claims to the excess proceeds. For that reason, the Parties have not completed any discovery.
 16 Good cause to extend exists here: facilitating these efforts and guarding against any unforeseen
 17 circumstances. It also allows any additional claimants who have not appeared, if any, to be heard. In
 18 addition, CitiMortgage is securing evidence to complete the record with the stipulation. Finally, the
 19 ninety (90)-day extension will allow the Parties time to complete any remaining interpleader tasks, like
 20 a Motion for Distribution.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

GREENBERG TRAURIG, LLP
 10845 Griffith Peak Dr., Suite 600
 Las Vegas, Nevada 89135
 Telephone: (702) 792-3773
 Facsimile: (702) 792-9002

PROPOSED DATES

Deadline	Current Date	New Proposed Date
Amending Pleadings	October 22, 2024	No Change
Expert Disclosure	November 21, 2024	No Change
Rebuttal Expert Disclosure	December 23, 2024	No Change
Close of Discovery	January 20, 2025	April 21, 2025
Dispositive Motions	February 19, 2025	May 21, 2025
Joint Pretrial Order	March 21, 2025	June 19, 2025

IT IS SO STIPULATED.9 DATED this 18th day of December, 2024.10 **GREENBERG TRAURIG, LLP**

11
12 */s/ Elliot T. Anderson*
13 MICHAEL R. HOGUE (NBN 12400)
14 ELLIOT T. ANDERSON (NBN 14025)
15 10845 Griffith Peak Drive, Suite 600
16 Las Vegas, Nevada 89135

17 *Counsel for CitiMortgage*

18 DATED this 18th day of December, 2024.19 **TIFFANY & BOSCO**

20 */s/ Krista J. Nielson*
21 KRISTA J. NIELSON (NBN 10698)
22 10100 West Charleston Blvd., Suite 220
23 Las Vegas, Nevada 89135

24 *Counsel for Plaintiff*

9 DATED this 18th day of December, 2024.10 **UNITED STATES DEPARTMENT OF
11 JUSTICE**

12 */s/ Misty L. Dante*
13 JASON M. FRIERSON (NBN 7709)
14 United States Attorney
15 MISTY L. DANTE
16 Assistant United States Attorney
17 501 Las Vegas Boulevard South, Suite 1100
18 Las Vegas, Nevada 89101

19 *Counsel for the Internal Revenue Service*

IT IS SO ORDERED.

20 *[Signature]*
21 **UNITED STATES MAGISTRATE JUDGE**
22 DATED: 12/19/2024

From: [Krista J. Nielson](#)
To: ["Dante, Misty \(USANV\)"](#); [Anderson, Elliot \(Assoc-LV-LT\)](#)
Cc: [Opie, Alayne \(Shld-LV-LT\)](#); [Hogue, Michael \(Shld-LV-LT\)](#); [Lacina, Peter K. \(OfCnl-Dal-LT\)](#); [Flintz, Andrea \(LSS-LV-LT\)](#)
Subject: RE: NDSC v. Orlando; 2:24-cv-01339; 23-72662 FOR REVIEW: SAO
Date: Wednesday, December 18, 2024 10:44:49 AM
Attachments: [image003.png](#)

EXTERNAL TO GT

You may also affix my e-signature. Thank you.



Krista J. Nielson | Shareholder | 702.916.1445
knielson@tblaw.com | [Website](#)

Offices: Alabama | Arizona | California | Florida | Michigan | Nevada | New Mexico

**Licensed in Nevada*

CONFIDENTIALITY NOTICE: The information contained in this message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read it. Please immediately reply to the sender that you have received the message in error, then delete it. Thank you.

From: Dante, Misty (USANV) <Misty.Dante@usdoj.gov>
Sent: Wednesday, December 18, 2024 8:48 AM
To: andersonel@gtlaw.com; Krista J. Nielson <knielson@tblaw.com>
Cc: opiea@gtlaw.com; hoguem@gtlaw.com; lacinap@gtlaw.com; flintza@gtlaw.com
Subject: RE: NDSC v. Orlando; 2:24-cv-01339; 23-72662 FOR REVIEW: SAO

Good morning Elliot,

The attached stipulation is fine with me. Please affix my electronic signature.

Thanks,

Misty Dante
Assistant United States Attorney
Asset Forfeiture Coordinator – District of Nevada
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada
Email: misty.dante@usdoj.gov
Phone: 702-388-6576

From: andersonel@gtlaw.com <andersonel@gtlaw.com>
Sent: Tuesday, December 17, 2024 6:33 PM